

REMARKS

Reconsideration of the present application, as amended, is respectfully requested. No claims have been added, amended, changed, or cancelled.

Claims 1-6, 8, 9, 11-14, 17, 20, 21, 23, 24, 26, 27 and 29-31 were rejected as under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,594,376 to Hoffman, et al. (hereinafter "Hoffman").

The Examiner, in his Response to Argument, suggests that the PIN number of Hoffman is a randomly generated number, and is equivalent to the "record ID" recited in the claims of the present application. Applicants respectfully disagree. While the PIN number is pseudo-random, it is not used as, and is not in any way equivalent to a record ID. The PIN number of Hoffman is part of the buyer's personal authentication information, which Hoffman explains comprises a PIN and at least one bid biometric sample. (Hoffman, Summary, column 4, lines 30-32). The PIN of Hoffman is used to search for the user in a particular bin of biometrics, thus in Hoffman it is expected that many users will share the same PIN. (column 9, line 65 to column 10, line 4). It is not used for identifying a buyer's record. In fact, since Hoffman points out that the PIN is not unique, it cannot be used to identify a biometric record.

Furthermore, Hoffman teaches away from disassociating biometric data from personally identifying data, by noting that:

Individual Biometric Database (IBD) records store personal information on buyers for both identification as well as authentication. This information includes their primary and secondary biometrics, one or more PIN codes, a list of financial accounts, account index codes, account index names, private code, one or more emergency account index codes, address, and phone number. The buyer may optionally include this SSN. This information is necessary for identifying a buyer either by biometric or

personal information, for accessing related information, or for providing an address or phone number to remote sellers for additional verification.

(Hoffman, column 33, lines 16-21). Thus, it is clear that in Hoffman, the biometric record is associated not only with a name, but also with an address, and social security number. This is clearly not an anonymous record, in which the biometric is not associated with identifying information. Thus, if a database is compromised, the hacker in Hoffman will certainly know the user's name, address, and biometric.

In contrast, claim 1 recites in part "receiving a record ID for a user, the record ID being a random number generated for tracking authentication data and disassociating the authentication data from other client identity data." As noted above, Hoffman specifically teaches away from a record ID being a random number used for tracking authentication data and for disassociating the authentication data from other client identity data. The PIN of Hoffman is linked to the biometric and name/address data. This is further illustrated in Figure 10, which shows the elements of the biometric record, including the biometric data, name, account data, etc. The name and account data is client identity data, which is stored as part of the biometric record in Hoffman. Therefore, Hoffman does not teach or suggest disassociating the authentication data from other client identity data. Therefore, claim 1, and claims 2-13 which depend on it, are not obvious over Hoffman.

Claim 14 recites in part "looking up a record ID associated with the user, the record ID being a random number generated to track the user's authentication data and used to separate the user's other identity information from the authentication data." As noted above, Hoffman specifically teaches away from a record ID used to separate the

user's other identity information from the authentication data. Therefore, claim 14, and claims 15-16 which depend on it, are not obvious over Hoffman.

Claim 17 similarly recites in part: "the record ID being a randomly generated number used to separate the user's other identity information from the user's authentication data." As noted above, Hoffman specifically teaches away from a record ID randomly generated to separate the user's identity from authentication data. Therefore, claim 17, and claims 18-31 which depend on it, are not obvious over Hoffman.

Byford teaches the use of biometric data for authentication. However, Byford does not teach or suggest the use of a record ID in this context. Therefore, Byford does not overcome the shortcomings of Hoffman discussed above. Thus, claims 7, 10, 25, and 28 are not obvious over Hoffman in view of Byford.

Claims 15, 16, 18 and 21 were rejected under 35 U.S.C. §103(a) over Hoffman and further in view of U.S. Patent No. 5,692,106 to Towers, et al. (hereinafter "Towers").

Towers discusses the determination of authentication policy associated with a user. However, Towers does not teach or suggest the use of a record ID in this context. Therefore, Towers does not overcome the shortcomings of Hoffman discussed above. Thus, claims 15, 16, 18 and 21 are not obvious over Hoffman in view of Towers.

Claims 19 and 22 were rejected under 35 U.S.C. §103(a) over Hoffman and further in view of U.S. No. 6,119,227 to Mao.

Mao discusses nonce generation to be included with user authentication data. However, Mao does not teach or suggest the use of a record ID in this context.

Therefore, Mao does not overcome the shortcomings of Hoffman discussed above.

Thus, claims 19 and 22 are not obvious over Hoffman in view of Mao.

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

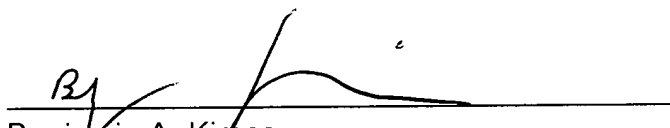
If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,

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